

CITY OF HUNTSVILLE, TEXAS

Eric Johnston, Chairman

David Anderson
Rowe Creager, Vice Chairman
Leroy Hilton



Bill Knotts
Beth Newton
Marilyn Soffar

PLANNING & ZONING COMMISSION AGENDA

MAY 6, 2010 at 12:00PM
COUNCIL CHAMBERS
HUNTSVILLE CITY HALL, 1212 AVENUE M

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services are requested to contact the Planning Division, at 936-294-5782 two working days prior to the meeting so that appropriate arrangements can be made.

REGULAR SESSION [12:00PM]

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
 - a. **U.S. Flag**
 - b. **Texas Flag** – *Honor the Texas Flag, I pledge allegiance to thee, Texas, one state under God, one and indivisible.*
3. **INVOCATION**
4. **PUBLIC HEARING** on Variance Request and Replat of Block 1, Lot 11 of the Huntsville Retail Center Subdivision located on the northwest corner of Interstate 45 and Smither Drive.
5. **CONSIDER** the Variance Request and Replat of Block 1, Lot 11 of the Huntsville Retail Center Subdivision located on the northwest corner of Interstate 45 and Smither Drive.
6. **PUBLIC HEARING** on an amendment to Chapter 24, Land Development, Code of Ordinances, regarding Section 24-1. Regulations adopted.
7. **CONSIDER** an amendment to Chapter 24, Land Development, Code of Ordinances, regarding Section 24-1. Regulations adopted.
8. **CONSIDER** the minutes of April 15, 2010.
9. **DISCUSS** final draft of Chapter 2 of the Huntsville Horizon Comprehensive Plan.
10. **CITIZEN INPUT**
11. **ADJOURNMENT**

If, during the course of the meeting and discussion of any items covered by this notice, the Planning and Zoning Commission determines that a Closed or Executive session of the Commission is required, then such closed meeting will be held as authorized by Texas Government Code, Chapter 551, Sections: 551.071 – consultation with counsel on legal matters; 551.072 – deliberation regarding purchase, exchange, lease or value of real property; 551.073 – deliberation regarding a prospective gift; 551.074 – personnel matters regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; 551.076 – implementation of security personnel or devices; 551.087 – deliberation regarding economic development negotiation; and/or other matters as authorized under the Texas Government Code.

If a Closed or Executive session is held in accordance with the Texas Government Code as set out above, the Planning and Zoning Commission will reconvene in Open Session in order to take action, if necessary, on the items addressed during Executive Session.

CERTIFICATE

I, Kristin Edwards, Deputy City Secretary, do hereby certify that a copy of the May 6, 2010 Planning & Zoning Commission Agenda was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, in compliance with Chapter 551, Texas Government Code.

DATE OF POSTING: 4/30/10

TIME OF POSTING: 11:45 a.m.

TAKEN DOWN: _____


Kristin Edwards, Deputy City Secretary

MEMORANDUM



DATE: APRIL 30, 2010

TO: PLANNING AND ZONING COMMISSIONERS

CC: ARON KULHAVY, AICP, PUBLIC WORKS DIRECTOR/CITY PLANNER
Y. S. RAMACHANDRA, PE, CITY ENGINEER
CAROL REED, PUBLIC UTILITIES DIRECTOR

 **FROM:** ROSE KADER, PLANNER

RE: PROJECT UPDATES

The Commission will be back in the Council Chambers and hope to see you on May 6 at Noon; if you will not make it, let us know as soon as possible.

Staff has provided the Commission with a color copy of the Draft for Chapter 2 of the Comprehensive Plan and all Figures. This should be the final draft to review before the changes are recommended to the Council for their consideration.

May 18, 2010 the City Council has tentatively scheduled to have a work session with the Planning staff. At this time it is unknown what will be discussed; however, the Commission will be updated on this matter.

In the past several weeks, inquiries as to the feasibility of development have picked up tremendously. At this stage all of the discussions are preliminary; however, we expect construction to begin on several major projects this summer.

As mentioned previously in several updates, the development related departments have requested new software to allow for more open and accessible permitting, code enforcement, and better interactions with the development related departments. While progress is being made, the decision on the package purchased does not ultimately lie with the end users and the possibility remains that permits will not be able to be issued electronically for a period of time.

Permits/Projects - No new projects at this time.

On-going Projects

- Montgomery Meadow Phase II – Montgomery Road (\$3.5 million)
- Senior Village housing-Essex Drive (\$3.5 million)
- The Grove student apartments-Sycamore (\$10 million)
- Elkin's Lake Clubhouse (\$3 million)
- Region VI building addition-Montgomery Road (\$1.5 million)
- Storage Buildings-SH 75 S (\$475,000)
- Apartments-SH 75 S (\$350,000)

Administratively Approved Plats – Filed

- Henderson Land Co. Section 3, Lots 2 & 3 (2A)
- Elkins Lake, Section 3A, Block 35, Lots 16 & 17 (17A)



PLANNING AND ZONING COMMISSION AGENDA ITEM DISCUSSION FORM

Prepared by: Rose Kader, Planner Aron Kulhavy, AICP, Public Works Director/City Planner

SUBJECT: Variance request and Replat of Lot 11 of Huntsville Retail Center

MEETING DATE: May 6, 2010 **TYPE OF REVIEW:** Variance & Replat

APPLICANT: Mark Joseph Piriano **OWNER:** Ravenwood Villages, Ltd.

LOCATION: Northwest corner of Interstate 45 and Smither Drive

FACTS, CODE REQUIREMENTS AND CONDITIONS

The subject property is located on the northwest corner of Interstate 45 and Smither Drive, in the P. Gray League, A-24, in the city limits of Huntsville. It is located in the Management District and is the lot on the south side of the current Target store.

The purpose of this replat is to divide Lot 11 into two lots – Lot 11A and 11B. The lots will be used for future commercial development consistent with the plans approved previously for the development. From discussions with the developer, it is staff's understanding that the look of the site will remain consistent with the overall plan, however there will be different property owners of lots 11A and 11B.

Lots 11A and 11B meet the minimum standards for non-residential development and all city utilities are available: water, sewer, and fire protection.

Lot 11B, as proposed, does not have direct street access and a variance request has been submitted by the applicant. The master development for Huntsville Retail Center has an access easement agreement. The City Engineer has worked with the applicant to ensure proper emergency access.

In addition, because lot 11B will be developed as part of the overall retail strip center, a request for 0' side lot line setbacks has also been submitted. Again, this is consistent with the previously approved plat and development plans, and is needed because of the subdivision of the property.

STAFF RECOMMENDATION:

As the variance requests are consistent with the previously approved plan and will have no impact on public access and safety, staff recommends approval of the replat as submitted.

ATTACHMENTS:

Submitted Plat
Variance Request
Site Plan – Master Development

Applicant Name

David Sepulveda

Questions

Please answer the following questions. Attach a separate sheet if additional space is needed.

1. What special conditions and circumstances exist that are peculiar to the land, structure, or building involved and that are not applicable to other lands, structures, or buildings?

Lot 11B is part of a Master Development with shared parking and access.
However, public access is not specifically identified on the plat. This
variance would resolve this issue.

2. Are the special conditions and circumstances a result from the actions of the applicant, or could the condition or circumstances be corrected or avoided by the applicant?

We considered creating a flag lot for Lot 11B. However, we do not meet
the requirements for a flag lot as spelled out in the code. Therefore,
we are requesting this variance.

3. Is the relief, if granted, the minimum degree of relief necessary to make possible the reasonable use of the land, building, or structure according to all the other applicable regulations?

Yes, the access easement across Lot 11A that will provide access to Lot
11B would provide the minimum degree of relief needed.

4. Would the literal interpretation of the provisions of the Code deprive the applicant of rights commonly enjoyed by other properties under the terms of this Code and work unnecessary and undue hardship on the applicant?

It would because public access to the site could be denied.

5. Will the grant of the relief violate the general intent and purpose of this Code or policies of the Comprehensive Plan?

No, the property will still serve as a commercial lot and be subject
to all development code issues.

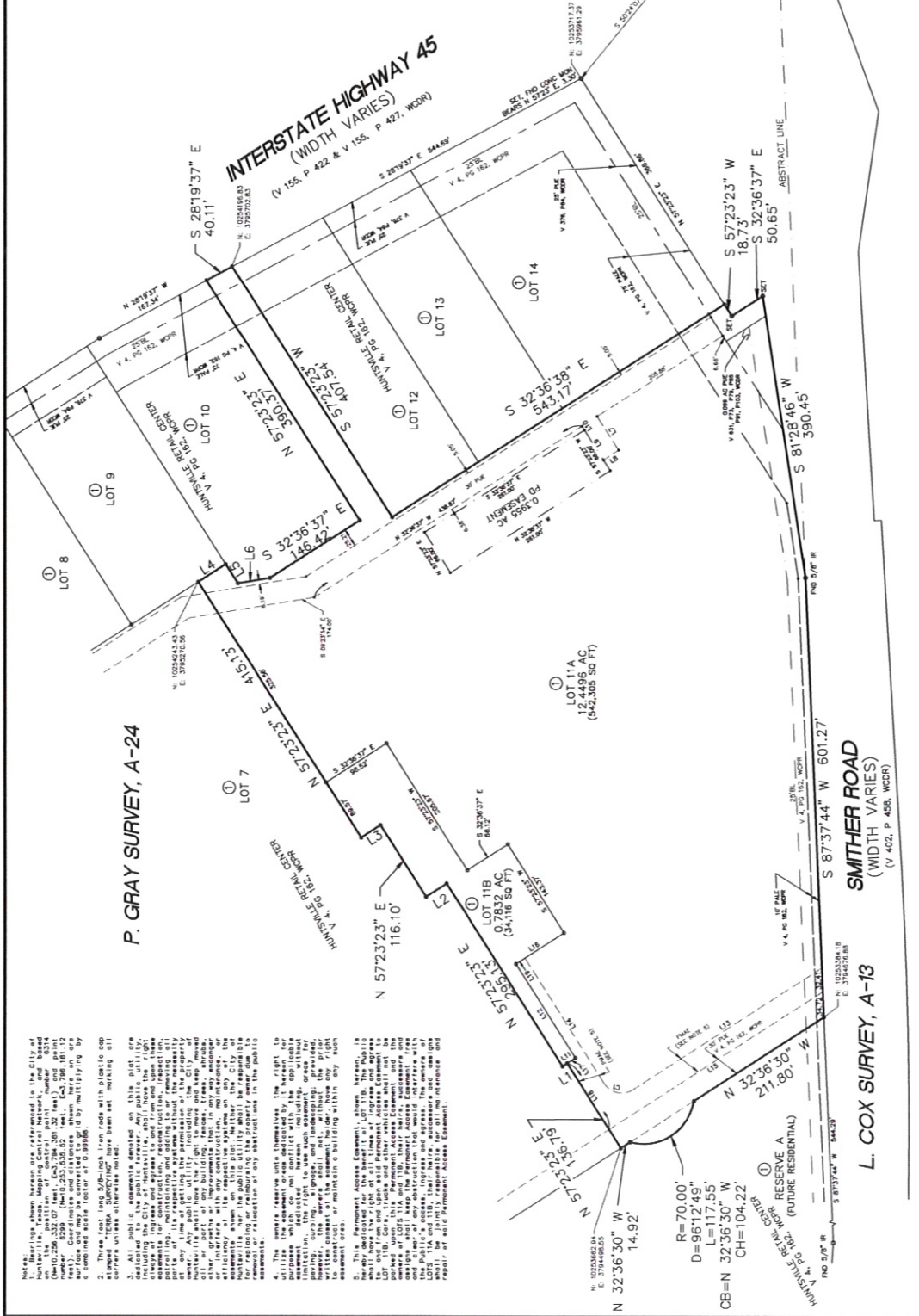
6. Will the grant of relief create unsafe conditions or other detriments to the public welfare beyond the effects of development otherwise allowed?

No, any relief granted by this variance will have no impact on the
public welfare and will not create any unsafe conditions.

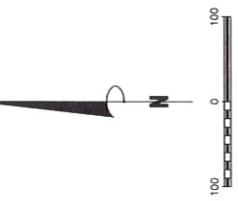
Not to Scale - Reduced for web packet - (pk)



VICINITY MAP (NO SCALE)



LINE	DISTANCE	BEARING
L1	7.92'	N 32°36'37" W
L2	33.50'	N 32°36'37" W
L3	31.50'	N 32°36'37" E
L4	45.00'	S 32°36'37" E
L5	30.87'	S 57°23'23" W
L6	44.82'	S 57°23'23" W
L7	54.68'	S 57°23'23" W
L8	24.91'	N 32°36'44" E
L9	48.57'	N 57°23'23" E
L10	6.35'	N 57°23'23" E
L11	21.27'	N 32°36'37" W
L12	305.74'	N 32°36'37" W
L13	202.55'	N 57°23'23" E
L14	348.42'	N 32°36'37" W
L15	78.35'	N 32°36'37" W
L16	13.35'	N 57°23'23" E
L17	105.79'	N 57°23'23" E
L18	14.65'	N 32°36'37" W



ABBREVIATIONS LEGEND
PND FOUND
WFCR WALKER COUNTY
WCR WALKER COUNTY
V VOLUME
ROW RIGHT OF WAY
IR IRON RAIL
A ABSTRACT
A- ABSTRACT NUMBER
F FIRE HYDRANT CASSETT
P PERMANENT ACCESS EASEMENT
P- PERMANENT ACCESS EASEMENT
BUE BUILDING EASEMENT
PUE PERMANENT ACCESS EASEMENT
PUE PERMANENT ACCESS EASEMENT
PUE PERMANENT ACCESS EASEMENT
PUE PERMANENT ACCESS EASEMENT

REPLAT OF LOT 11
BLOCK 1
HUNTSVILLE
RETAIL CENTER

LAND USAGE STUDY
FOR



HUNTSVILLE, TX
INTERSTATE HWY 45 AT SMITHER ROAD
HUNTSVILLE, TEXAS

RAVENWOOD VILLAGE
SHOPPING CENTER
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9/8/2009

LEASE PLAN

PLAN IS PRELIMINARY IN NATURE AND SUBJECT TO CHANGE.





PLANNING AND ZONING COMMISSION AGENDA ITEM DISCUSSION FORM

Prepared by: Rose Kader, Planner Aron Kulhavy, AICP, Public Works Director/City Planner

SUBJECT: Code of Ordinances, Section 24-1. Regulations adopted.

MEETING DATE: May 6, 2010

TYPE OF REVIEW: Public Hearing, Administrative

APPLICANT: City of Huntsville

FACTS, CODE REQUIREMENTS AND CONDITIONS

The City Attorney advised staff that *Section 24-1. Regulations adopted* in the City of Huntsville *Code of Ordinances* does not adopt any amendments to the *Development Code*. Therefore, wording has been proposed (underlined) to allow for the automatic adoption of amendments.

Sec. 24-1. Regulations adopted.

The land development regulations and any amendments thereto of the city are hereby adopted by reference and incorporated as if fully set forth herein. A copy of the development code is on file with the office of the city secretary, city engineer and city planner.

This item, once acted upon, will be referred to City Council for a public hearing and final vote. Anticipated City Council date is May 18, 2010.

STAFF RECOMMENDATION:

Staff recommends approval of the proposed amendment to Section 24-1. Regulations adopted.

ATTACHMENTS:

None

MINUTES OF THE MEETING OF THE PLANNING AND ZONING COMMISSION HELD IN THE COUNCIL CHAMBERS, AT CITY HALL, 1212 AVENUE M, HUNTSVILLE, TEXAS ON THE 15TH DAY OF APRIL, 2010 AT 5:30PM.

REGULAR SESSION [5:30PM]

Members present: Anderson; Hilton; Johnston; Newton. Council Liaison Wagamon

Members absent: Creager; Knotts; Soffar

Staff present: Kader; Kulhavy, Ramachandra, North

1. CALL TO ORDER

This meeting was called to order by Chairman Johnston. [5:40PM]

2. INVOCATION

Commissioner Anderson led the invocation.

3. CONSIDER the minutes of March 4, 2010.

Commissioner Anderson made a motion to accept the minutes of the March 4th meeting as presented. Second was by Commissioner Newton. The motion was unanimous.

4. CONSIDER the minutes of March 18, 2010.

Commissioner Hilton made a motion to accept the minutes as presented. Second was by Commissioner Anderson. The motion was unanimous.

5. DISCUSS revised draft of Chapter 2 of the Huntsville Horizon Comprehensive Plan.

City Planner Kulhavy led the discussion of revisions pointing out the addition of definitions added in the margins, the challenge of revising Table 2.1 to match the re-naming of existing land use terms beginning on page 23 and other comments received from the Commission members as noted by staff.

City Planner Kulhavy stated staff will solicit comments from those that were not present at this meeting and provide a corrected draft at the next meeting for a final look before the public hearing and consideration of a final draft to be submitted to City Council.

6. CONSIDER a public hearing date for Chapter 2 of the Huntsville Horizon Comprehensive Plan.

Commissioner Hilton made a motion to set May 20 as the public hearing for the revision of Chapter 2. Second was by Commissioner Anderson. The motion was unanimous.

7. CITIZEN INPUT

None

8. ADJOURNMENT

Commissioner Anderson made a motion to adjourn. Second was by Commissioner Hilton. The vote was unanimous. [6:21PM]